

**REMARKS**

Claims 2-11, and 13-18 are pending. Claims 1 and 12 are cancelled.

The outstanding rejection of claims 2-11 and 13-18 under 35 U.S.C. 102 as being anticipated by Wu has been reversed.

Claims 13-18 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

In response, claim 13 has been amended to change the words “the receive port” in lines 2-3 to —a receive port of said plurality of receive ports-- to overcome the antecedent problem.

Further, the limitation “a data queue representing each of the receive ports is assigned with at least one of the time slots” has been deleted. Instead, claim 13 recites that the time slots assigned to the data queues representing underloaded receive ports are dynamically allocated to the data queues representing overloaded receive ports.

As indicated in the Decision on Appeal, Wu does not disclose the plurality of queuing devices corresponding to the plurality of receive ports. Hence, the reference does not disclose the steps of:

-placing data blocks representing received data packets in a plurality of data queues corresponding to the plurality of the receive ports; and

-dynamically allocating the time slots to the data queues in accordance with data traffic at the corresponding receive ports,

wherein the time slots assigned to the data queues representing underloaded receive ports are dynamically allocated to the data queues representing overloaded receive ports, as claim 13 recites.

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Accordingly, claims 13-18 are defined over the reference.

In view of the foregoing, and in summary, claims 2-11 and 13-18 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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